

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

DOCKET NO. 1:07CR106

FILED
ASHEVILLE, N.C.

SEP 21 2009

U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES OTIS HENDERSON
a/k/a JAMIE HENDERSON,

Defendants.

ORDER DISMISSING

PETITION OF

JANET LEIGH HENDERSON

WHEREAS, on April 7, 2009, the Court entered the Third Preliminary Order of Forfeiture on April 7, 2009, against defendant James Otis Henderson, in which the Court forfeited three tracts of real property as a result of his convictions;

WHEREAS, on May 11, 2009, Petitioner Janet Leigh Henderson filed a Petition asserting one half ownership interest in one of the forfeited tracts, Lot 22, Pineland Shores, Laurens County, South Carolina.

WHEREAS, on August 27, 2009, the United States submitted a Motion to Dismiss the Petition of Janet Leigh Henderson and stated its grounds therein;

WHEREAS, Janet Leigh Henderson has not responded to that Motion within the time allowed;

NOW, THEREFORE, the Court finds that the grounds stated in the United States' Motion to Dismiss the Petition of Janet Leigh Henderson demonstrate a lack of standing, and therefore, the Court dismisses the Petition of Janet Leigh Henderson

IT IS SO ORDERED.

This the 18th day of September, 2009.



THOMAS SELBY ELLIS III
UNITED STATES
DISTRICT COURT JUDGE